

BEFORE: VIKTOR V. POHORELSKY
U.S. MAGISTRATE JUDGE

DATE: 5/26/10
START TIME: 2:00 p.m.
SUSPEND: 2:30 p.m.

DOCKET NO. CV-08-4405

JUDGE: SLT

CASE NAME: Allstate Insurance Co., et al. v. Mirvis, et al.

CIVIL CONFERENCE

PURPOSE OF CONFERENCE: Hearing on Order to Show Cause (Schioppi)

APPEARANCES: Plaintiff Robert Stern, Daniel Marvin
Defendants Joseph Schioppi

SCHEDULING AND RULINGS:

1. Counsel for the defendants Benjamin, Lamed Medical, P.C., 825 Broadway Medical, P.C., and Flatlands 78 Medical P.C. appeared. Advises that although he filed an answer on behalf of the PC's he did so at the request of Benjamin, whom he believed to be affiliated with they PC's, but who disclaims having any affiliation now. Court advises that until counsel makes a motion to withdraw, on notice to the PC's, he remains their counsel.
2. As the PC's have not properly responded to the discovery requests as ordered by the court, and will not be doing so, the court will impose sanctions in the nature of a preclusion order. Counsel for the plaintiff will provide the court with specificity concerning the scope of such a preclusion order that they feel is appropriate.
3. Deadlines were set for production of documents by the defendant Benjamin.
4. Counsel for Benjamin is to appear at the next conference on June 10, 2010 at 2:00 p.m.
5. Counsel for Benjamin shall reimburse the plaintiffs for fees unnecessarily incurred because the counsel for Benjamin failed to appear at the previously scheduled hearing on the order to show cause. Payment in the amount of \$250 for one hour of counsel's time is to be remitted to counsel for the plaintiffs within fourteen days.